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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/905,398
	Filing Date	07/14/2001
	First Named Inventor	Nace Layadi
	Group Art Unit	2814
	Examiner Name	Anh D. Mai
Total Number of Pages in This Submission	Attorney Docket Number	Layadi 30-23 (001)

ENCLOSURES (check all that apply)		
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Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	David G. Maire, Esquire Reg. No. 34,865 Beusse, Brownlee, Bowdoin & Wolter, P. A.
Signature	<i>David G. Maire</i>
Date	7/18/2002

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <b>July 18, 2002</b>			
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TC 2800 MAIL ROOM

In re: Application of:

Group Art Unit: 2814

Nace Layadi, *et al.*

Examiner: Anh D. Mai

Serial No.: 09/905,398

Filed: 07/14/2001

Attorney Docket No.: Layadi 30-23 (001)

Title: POLISH OR ETCH STOP LAYER

Commissioner for Patents

Box No Fee Amendment

Washington, DC 20231

#### RESPONSE TO REQUIREMENT FOR RESTRICTION

This paper is in response to the requirement for restriction contained in the Office Communication mailed 06/24/2002. Restriction to one of the following inventions is required: Group I, claims 1-12, drawn to a device; and Group II, claims 13-18, drawn to a method.

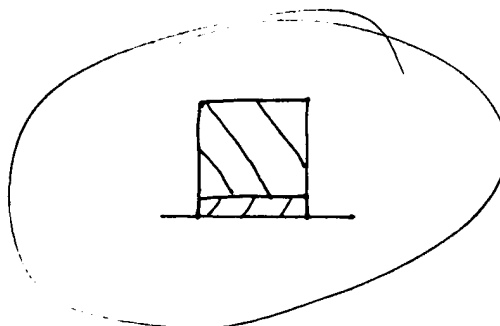
The applicants elect Group I, claims 1-12, with traverse, and request that the requirement for restriction be withdrawn in light of the following comments.

In paragraph 2 of the Office Communication, the Examiner has provided an example of a materially different process that he states will result in the claimed product. In order to more clearly understand the examiner's example, the Examiner's process is restated on the following page along with a sketch of the resulting product at each step of the process:

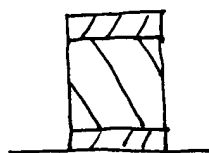
STEP

RESULTING PRODUCT

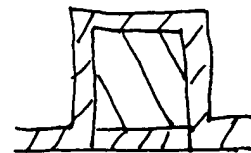
"etching a conductive layer having a tungsten layer formed on a polish stop layer to form a conductive layer"



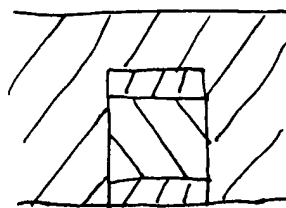
"depositing a second polish stop layer over the feature so etched"



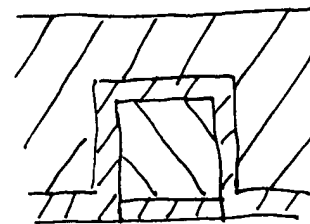
OR



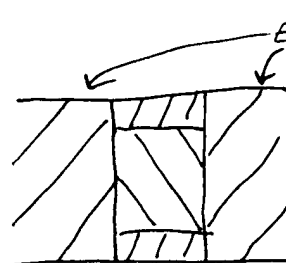
"depositing a layer of dielectric material over the feature so formed"



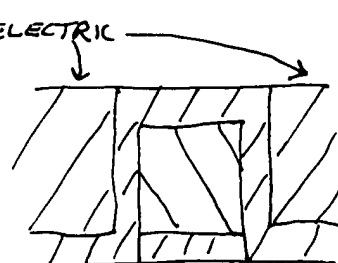
OR



"planarizing the dielectric layer"



OR



The process suggested by the Examiner results in a product having a dielectric layer fully exposed along its top surface. The claimed product has a "polish stop layer disposed over the dielectric layer" (quoted from claim 1). These two products are materially different as illustrated by comparing FIG. 2 of the present application with the sketches above. Accordingly, the claimed

product cannot be formed by the process described in the Office Communication, and the requirement for restriction should be withdrawn.

The Examiner is invited to call the undersigned attorney if he would like to discuss this response or any other issue related to this application.

Respectfully submitted,

A handwritten signature in cursive script that reads "David G. Maire". The signature is written in dark ink and is positioned above the typed name and address.

David G. Maire, Reg. No. 34,865

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